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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5545 OF 2007

Chatrapati Shivajirao Krida & Shikshan
Prasarak Mandal ... Petitioner

V/s.

Vaishali P. Kulkarni & ors. ... Respondents

Mr.Satyajeet Ligade for Petitioner
Mr.S.M. Sabrad for Respondent No.1
Mr.R.M. Patne, AGP, for Respondent No.2

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 2, 2007**

P.C.:

. The petitioner challenges the interim order passed by the School Tribunal in the appeal filed by the respondent-teacher. The School Tribunal has found prima facie that the respondent teacher was initially appointed in a permanent vacancy as an assistant teacher and that his services were terminated after a period of one year. The Tribunal found that prima facie the action of the petitioner was illegal and arbitrary and, therefore, was required to be stayed. There is no error committed by the Tribunal requiring interference by this Court.

2. Petition is rejected. However, it is made clear that the findings of the Tribunal are prima facie. The Tribunal will pass appropriate orders at the final hearing uninfluenced by the order passed on the interim application.